THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.4419 OF 2006

DATED: 4th SEPTEMBER, 2006.

Between :

Vissamsetti Parasuramudu … Petitioner

And

1. The Addl. Agent to the Government,
   (Project Officer), East Godavari District,
   at Rampachodavaram and 3 others. .. Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.4419 OF 2006

ORDER :

Heard the learned Counsel for the petitioner and the learned Government Pleader for Social Welfare, appearing for the respondents.

The 2nd respondent herein, in exercise of powers conferred under Section 3 (2) of the A.P. Scheduled Areas (Land Transfer) Regulation 1 of 1959, ordered ejectment of the petitioner herein, from the land in his occupation. Aggrieved by the same, the petitioner preferred appeal on 7-12-2005 together with an application for stay. Though the appeal was entertained, the 1st respondent failed to consider the application for stay. Hence, this writ petition seeking a declaration that the order of ejectment passed by the Special Deputy Collector arbitrary and illegal.

Since, admittedly, statutory appeal is pending, it is not necessary for the Court to go into the merits of the case. However, pending statutory appeal, I deem it appropriate to protect possession of the petitioner.

Accordingly, the Writ Petition is disposed of with a direction that the statutory appeal pending on the file of the 1st respondent shall be disposed of following due process of law, as expeditiously as possible, preferably within a period of three (3) months from the date of receipt of

this order. Till such time, the order of this Court

dated 4-4-2006 directing to maintain Status Quo as to the nature and possession of the land in question shall continue. No costs.

_____

G. ROHINI, J.

Dt. 4-9-2006
gbs